

JOHN R. HOLSINGER, LLC
Arbitrator - Mediator - Counselor at Law
Admitted: NJ and NY

Two University Plaza
Suite 300
Hackensack, NJ 07601

February 20, 2007

201-487-9000
201-487-9011 fax
johnh@jrholsinger.com
www.jrholsinger.com

Sara Flanagan, Esquire
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway – 17th Floor
New York, New York 10007



Re: In the Matter of the Lower Passaic River Study Area
Portion of the Diamond Alkali Superfund Site
Agreement Under Section 122(h) of CERCLA, 42 U.S.C. Section 9622
U.S. EPA Region 2; Site-Spill ID Number 02-96
CERCLA Docket No. 02-2004-2011

Dear Ms. Flanagan:

I am responding as attorney on behalf of Tate & Lyle Ingredients Americas, Inc. formerly known as A.E. Staley Manufacturing Company including its former division Staley Chemical Company ("Tate & Lyle") to the December 27, 2006 General Notice Letter regarding the Lower Passaic River Study Area ("LPRSA") that was sent to D. Lynn Grider, President, A.E. Staley Manufacturing Co., Inc.

Tate & Lyle understands that EPA has entered into the above-referenced Settlement Agreement pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (the "Settlement Agreement"), effective as of June 22, 2004, with forty-three (43) companies (the "Settling Parties"). Tate & Lyle has been provided with a copy of the Settlement Agreement and Amendment No. 1 thereto, made effective as of November 9, 2005, and is familiar with the related terms and conditions in these documents.

As requested by EPA, and without any admission of liability for the referenced matter, Tate & Lyle has agreed to become a "cooperating party" by participating in the Lower Passaic River Study Area Cooperating Parties Group with the expectation that it will be permitted to become a Settling Party under the Settlement Agreement on the same terms and conditions provided under Amendment No. 1. Tate & Lyle assumes that this statement of intent satisfies

FEB 23 2007

Sara Flanagan, Esquire
Assistant Regional Counsel
February 20, 2007
Page 2

EPA's request that it become a cooperating party for the CERCLA study of the LPRSA, as described in the referenced General Notice Letter.

Very truly yours,

A handwritten signature in black ink, appearing to be "John R. Holsinger", written over a horizontal line.

John R. Holsinger

JRH/jr

cc: Marc W. Larson, Esq.